

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to FIG. 5. This sheet, which includes FIG. 5, replaces the original sheet including this same Figure.

Reference number 210 has been changed to 110.

Attachment: Replacement sheet

### **REMARKS**

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 1, 2, 4-7, 9, 10, 12-15, and 17-20 are now present in this application, of which claims 1 and 9 are independent. By this amendment, claims 1, 4, 9, and 12 have been amended, claims 3, 8, 11, and 16 have been canceled, and FIG. 5 has been corrected. No new matter has been added.

Reconsideration of this application, as amended, is respectfully requested.

### **Reasons for Entry of Amendments**

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by incorporating the limitations dependents claims 3 and 8 into independent claim 1 and incorporating the limitations of dependent claims 11 and 16 into independent claim 9. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

### **Drawings**

FIG. 5 of the present application has been amended to change reference number 210 to 111. Support for this correction is provided by FIG. 4 and paragraphs [0063] – [0065]. No new matter has been added.

**Nonstatutory Obviousness-Type Double Patenting Rejection**

Claims 1-3 and 9-11 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, 6, and 11-16 of copending Application No. 10/720,150.

Claims 1-6 and 9-14 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 and 5-13 of copending Application No. 10/722,443.

Applicants respectfully submit that the claims, as amended, overcome this rejection. In addition, Applicants submit that the Examiner has not made out a prima facie case of obviousness by explaining in detail how the individual claims rejected in the application are obvious, thereby not meeting the Examiner's burden of proof.

Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

**Rejections Under 35 U.S.C. §§ 102 and 103**

Claims 1-6, 8-14, and 16-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,256,823 to Kronbetter et al. ("Kronbetter"). Claims 7 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kronbetter. These rejection are respectfully traversed.

Complete discussion of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

In order to advance prosecution of the present application, independent claims 1 and 9 have been amended to incorporate the subject matter of dependent claim 8, including dependent claim 3, and dependent claims 16, including dependent claim 11, respectively.

In particular, independent claim 1 has been amended to recite a combination of elements in a gasket including, *inter alia*, a leakage preventing part having "a first connecting member having one end connected to the first opening to horizontally extend toward the tub", "a second connecting member having one end connected to the other end of the first connecting member to radially extend toward the cabinet front side", and "a third connecting member having one end connected to

the other end of the second connecting member and having the other end connected to the second opening”, and a deformation preventing part “wherein the deformation preventing part is formed at a connecting part between the first and second connecting members and further comprises a strength gusset for reinforcing elasticity of the leakage preventing part.”

Similarly, claim 9 has been amended to recite a combination of elements in a drum washing machine including, *inter alia*, a leakage preventing part having “a first connecting member having one end connected to the first opening to horizontally extend toward the tub”, “a second connecting member having one end connected to the other end of the first connecting member to radially extend toward the cabinet front side”, and “a third connecting member having one end connected to the other end of the second connecting member and having the other end connected to the second opening”, and a deformation preventing part “wherein the deformation preventing part is formed at a connecting part between the first and second connecting members and further comprises a strength gusset for reinforcing elasticity of the leakage preventing part.”

In the Office Action, the Examiner assert that the bead/fastening means 54 of Kronbetter reads on the deformation preventing part with a strength gusset. However, as clearly shown in FIGS. 2 and 3, the beads/fastening means 54 are formed at the end of the bellows 44, which is connected to the drum 25. Because the bead/fastening means 54 are located at the end of the bellows 44, they cannot read on the claimed arrangement where the deformation preventing part is formed at a connecting part between the first and second connecting members and further comprises a strength gusset for reinforcing elasticity of the leakage preventing part. Furthermore, fastening means 56 are also in contact with the cabinet 12. As a result, Kronbetter does not show or describe the claimed deformation preventing part and the § 102 rejections of independent claims 1 and 9 must be withdrawn.

With regard to dependent claims 2, 4-7, 10, 12-15, and 17-20, Applicants submit that these claims depend, either directly or indirectly, from one of independent claims 1 and 9, which are allowable for the reasons set forth above, and therefore these claims are allowable based on their dependence from one of claims 1 and 9, as well as for their additionally recited subject matter.

**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot.

Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By   
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Attachment: Replacement Sheet for FIG. 5